

**LEXINGTON-FAYETTE URBAN COUNTY COUNCIL**

**WORK SESSION AGENDA**

**December 1, 2009**

- I. Public Comment – Issues on Agenda**
- II. Requested Rezonings / Docket Approval – Yes**
- III. Approval of Summary-Yes, November 24, 2009, pp. 7-9**
- IV. Budget Amendments – Yes, pp. 10-18**
- V. New Business, pp.20-53**
- VI. Continuing Business / Presentations**
  - A. Intergovernmental Committee, pp. 54-60**
  - B. Planning Committee, pp.61-65**
  - C. Report of Mortgage Lending  
Dr. Judy “J.J.” Jackson, Chair, Mayor’s Commission  
on Mortgage Lending Practices**
  - D. Red Mile Project Update  
Mr. John Farris and Mr. Stan Harvey, Urban Collage**
- VII. Council Report**
- VIII. Mayor’s Report – None**
- IX. Public Comment – Issues Not on Agenda**

## ADMINISTRATIVE SYNOPSIS

### New Business Items

- A. Authorization of a Rental Agreement with Lexington Center Corporation on Behalf of the Commission for Citizens with Disabilities for the Celebration of Disability Expo and Medicaid Waiver Fair. (694-09) (Helm)  
This request will authorize a rental agreement in the amount of \$1,450 with Lexington Center Corporation on behalf of the Commission for Citizens with Disabilities for the Celebration of Disability Expo and Medicaid Waiver Fair to be held April 22, 2010. The Department of Social Services will provide technical support. Funds from sponsorships / donations will be used to cover the costs of this event.**p.20**
- B. Authorization to Accept an Award from the Kentucky Department of Military Affairs, Kentucky Division of Emergency Management (KYEM) on Behalf Department of Public Safety, Division of Emergency Management / 911 for FY2010 Emergency Management Assistance Project. (695-09) (P. King/ Bennett)  
This request will authorize the acceptance of an award of federal funds in the amount of \$112,984.68 from KYEM on behalf of the Division of Emergency Management / 911 for the FY2010 Emergency Management Assistance Project to offset personnel and operating costs. The source of funds is the Department of Homeland Security / Federal Emergency Management Agency. A local match of 50% (\$112,984.68) is required.**p.21**
- C. Authorization of a Memorandum of Understanding (MOU) with the Kentucky Justice and Public Safety Cabinet, Department of Criminal Justice Training (DOCJT) on Behalf of the Department of Public Safety, Division of Police for Participation in the Cold Case Resolution Pilot Project. (700-09) (P. King/ Bennett)  
This request will authorize a MOU for federal funds in the amount of \$80,000 with DOCJT on behalf of the Division of Police for participation in the Cold Case Resolution Pilot Project. Funds will be used for overtime, training, travel, and professional services. The source of funds is the Justice and Public Safety Cabinet under the Justice Assistance Grant. No matching funds are required.**p.22**
- D. Authorization to Extend Agreement with Kentucky Office Homeland Security (KOHS) on Behalf of the Department of Public Safety, Division of Police for the Bomb Squad Enhancement Project. (699-09) (P. King/ Bennett)  
This request will authorize an agreement to extend the completion date from December 31, 2009 to June 30, 2010 with KOHS on behalf of the Division of Police to complete the Bomb Squad Enhancement Project.**p.23**

- E. Authorization of an Agreement with the Kentucky Office of Homeland Security (KOHS) for Continuation of the Metropolitan Medical Response System (MMRS) Project. (701-09) (P. King/Bennett)  
This request will authorize an Agreement with KOHS to extend the MMRS Project from December 31, 2009 to June 30, 2010.**p.24**
- F. Authorization to Extend Agreement with Kentucky Office of Homeland Security (KOHS) on Behalf of the Department of Public Safety, Division of Police for the IED Attack Deterrence Project. (704-09) (P. King/Bennett)  
This request will authorize an agreement to extend the completion date from December 31, 2009 to June 30, 2010 with KHOS on behalf of the Division of Police to complete the IED Attack Deterrence Project.**p.25**
- G. Authorization of Agreements with Various Entities for Performance of Services under the 2008 Project Safe Neighborhood Grant. (708-09) (P. King/Bennett)  
This request will authorize agreements for federal funds with Central Kentucky Area Drug Task Force (Madison and other counties) in the amount of \$3,000 for law enforcement overtime for gun crime interdiction; for Asbury College in the amount of \$9,500 for production of a television public service announcement; for Hollingsworth and James, LLC in the amount of \$10,000 for research and data analysis in gun and gang activity in London, Lexington and Covington; and for the Board of Education of Fayette County in the amount of \$28,175 for continuation of gang prevention program at Martin Luther King, Jr. Academy. This also provides federal funds for the Fayette County Attorney in the amount of \$11,000, the Fayette County Commonwealth Attorney in the amount of \$11,500 and the Commonwealth Attorney for Lincoln, Pulaski and Rockcastle counties in the amount of \$7,500 to assist with the prosecution of gun and gang-related crimes. LFUCG serves as the fiscal agent for the grant funds. No matching funds are required.**pp.26-27**
- H. Authorization of a Statement of Concurrence with the Louisville Metro Government Regarding Shared Use of the Frequency Spectrum. (702-09) (Lucas/Bennett)  
This request will authorize a Statement of Concurrence with the Louisville Metro Government for the shared use of the frequency spectrum under Federal Communications Commission rules. Louisville further agrees that any future known or unknown interference experienced by LFUCG will be corrected at the expense of Louisville.**p.28**
- I. Authorization to Amend Section 14-10(f)(10) of the Code of Ordinances Relating to the Posting of Addresses. (703-09) (Lucas/Bennett)  
This request will authorize an amendment to Section 14-10(f)(10) of the Code of Ordinances regarding the issuance of citations by certain officers, agents and employees pertaining to the enforcement of violations of the posting of addresses within Lexington-Fayette County.**pp.29-30**

- J. Authorization of Agreements with the Kentucky Justice and Public Safety Cabinet, Department of Criminal Justice Training on Behalf of the Department of Public Safety, Division of Police. (710-09) (Bastin/Bennett)  
This request will authorize a McKinney Skills Driving Track Facility Use Agreement and a Classroom, Simulator and Conference Room Use Agreement from January 1 – December 31, 2010 with DOCJT on behalf of the Division of Police for police recruit classes. There is no budgetary impact.**p.31**
- K. Authorization of an Agreement with the University of North Florida Training and Service Institute, Inc. (d/b/a the Institute of Police Technology and Management) on Behalf of the Department of Public Safety, Division of Police. (711-09) (Bastin/Bennett)  
This request will authorize an agreement in the amount of \$12,500 with the University of North Florida Training and Service Institute, Inc. (d/b/a the Institute of Police Technology and Management) on behalf of the Division of Police for the *Electronic Data Recorder Use in Traffic Crash Reconstruction* instructional program for approximately 30 students from January 11 – 15, 2010.**p.32**
- L. Authorization of a KYOPS User Agreement with the Kentucky State Police (KSP) on Behalf of the Department of Public Safety, Division of Police. (712-09) (Bastin/Bennett)  
This request will authorize a KYOPS (Kentucky's Open Portal Solution) User Agreement with KSP on behalf of the Division of Police for electronic submission and processing of reports and information and for the exchange of data with KSP. There is no budgetary impact.**p.33**
- M. Authorization of a Change Order No. 1 to Contract with Randle-Davies Construction Company for the Town Branch Trail Project – Phase 1B. (FINAL) (693-09) (P. King/Webb)  
This request will authorize a Change Order No. 1 to decrease contract amount by \$30,248.78 with Randle-Davies Construction Company for the Town Branch Trail Project – Phase 1B. This change order revises quantities used in the project. Original contract amount was \$224,109.20. Final contract amount is \$193, 860.42.**pp.34-37**
- N. Authorization of Permanent Easements for the South Limestone Streetscape Project. (696-09) (Rayan/Webb)  
This request will authorize permanent easements at no cost to LFUCG from property owners of record for the South Limestone Streetscape Project. The easements are necessary for traffic signal equipment and other items that cannot be placed on the public right-of-way.**p.38**

- O. Authorization of Change Order No. 9 to Contract with ENTRAN (f/k/a American Consulting Engineers, PLC) for the Newtown Pike Extension Project – Phase I and IV. (705-09) (P. King/Webb)  
This request will authorize Change Order No. 9 to increase contract amount by \$605,853 with ENTRAN (f/k/a American Consulting Engineers, PLC) for the Newtown Pike Extension Project to fund Neighborhood Liaison positions for an additional 12 months. Funds are budgeted.  
**pp.39-42**
- P. Authorization of a Definitive Relocation Agreement (Special Construction Agreement) with Insight Kentucky Partners, II, LP, for the South Limestone Streetscape Project. (697-09) (Webb)  
This request will authorize a Definitive Relocation Agreement (Special Construction Agreement) at a cost of \$450,000 with Insight Kentucky Partners, II, LP, to relocate fiber optic and coaxial cable underground for the South Limestone Streetscape Project. Funds are budgeted.  
**p.43**
- Q. \*Authorization to Amend Section 21-5 of the Code of Ordinances on Behalf of the Department of Public Works and Development. (698-09) (Allen/Webb)  
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to transfer one (1) position of Public Service Supervisor (Grade 111N) (and incumbent) and two (2) positions of Equipment Operator Sr. (Grade 109N) (and incumbents) from the Division of Traffic Engineering to the Division of Streets, Roads and Forestry.  
**p.44 (J28 – Recommended by MP Audit)**
- R. Authorization to Amend Ordinance No. 188-2009 to Correct a Clerical Error of Salary Increase Percentage. (593-09) (Allen/Taylor)  
This request will authorize an amendment to Section 1 of Ordinance No. 188-2009 dated September 3, 2009, to correct the salary increase for Kevin Bennett from 23% of his current salary to read 30.1% of his current salary to be retroactive to the date of passage. There are no other changes / corrections associated with this amendment. There is no fiscal impact.  
**p.45**
- S. Authorization of Change Order No. 2 to Contract with Marillia Design and Construction for the McConnell Springs Wetland Demonstration Area Project – FY2010. (FINAL) (714-09) (P. King/Taylor)  
This request will authorize Change Order No. 2 to increase contract amount by \$10,062 with Marillia Design and Construction for additional materials and labor costs for the McConnell Springs Wetland Demonstration Area Project. Original contract amount was \$354,226.55. Total of previous change order was \$31,888.60. Final contract amount is \$396,717.15. Funds are budgeted.  
**pp.46-48**

- T. Authorization of Amendment No. 1 to Management Agreement with Kentucky Theater Management Group, Inc. (709-09) (Baradaran/Cole)  
This request will authorize Amendment No. 1 to Management Agreement with Kentucky Theater Management Group, Inc. to extend the contract for 13 months from November 30, 2009 to December 31, 2010. There are no other changes associated with this amendment.**pp.49-50**
- U. Authorization of a Loan Agreement with Russell School Community Service Center, Inc. for use of Community Development Block Grant (CDBG) Funds for Rehabilitation of Russell Elementary School Property. (706-09) (P. King/Rumpke)  
This request will authorize a loan agreement of federal funds in the amount of \$200,000 from CDBG funds with the Russell School Community Services, Inc, for rehabilitation of the Russell Elementary School property for development of a 27-unit elderly housing, social services, child development services, and space for civic and cultural activities. The source of funds is the US Department of Housing and Urban Development. Funds are budgeted in the 2007 Consolidated Plan.**p.51**
- V. Authorization of an Agreement with Community Action Council for use of Community Development Block Grant (CDBG) Funds for Energy Efficiency Improvements in Private Housing. (713-09) (P. King/Rumpke)  
This request will authorize an agreement in the amount of \$245,000 from CDBG funds with the Community Action Council for energy efficiency improvements in private homes owned and occupied by households with income at or below 80% of median income. The source of funds is the US Department of Housing and Urban Development. Funds are budgeted.**p.52**
- W. Authorization to Approve 2010 General Term Order (GTO) for the Fayette County Clerk and the Fayette County Sheriff. (707-09) (Rumpke)  
This request will authorize the approval of the 2010 GTO submitted by the Fayette County Clerk and the Fayette County Sheriff. The GTO summarizes maximum annual expenditures for personnel, operating and capital, and is used by the Commonwealth of Kentucky, Department for Local Government as a guideline for approval of reimbursement.**p.53**

**\* MP Audit Recommendation**